

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

RICHARD TURRIETTA,

Plaintiff,

v.

CIV 09-1216 BB/LAM

RON TORRES, et al.,

Defendants.

ORDER TO SHOW CAUSE

THIS MATTER came before the Court for a telephonic status conference on Wednesday, June 30, 2010. Plaintiff, who is *pro se*, failed to appear and Defendants appeared through counsel of record, Christina Anaya. On April 26, 2010, this Court entered an *Order Setting Telephonic Case Management Status Conference* (Doc. 28) scheduling the Status Conference for Wednesday, June 30, 2010, @ 10:30 a.m., and notice of the hearing was sent to Plaintiff's address of record. In addition, on June 3, 2010, the Court ordered Plaintiff to provide the Court with a daytime phone number that is not a cell phone so that the Court could reach him for telephonic conferences. *Order Granting Defendants' Motion for Discovery Information* (Doc. 38) at 3. To date, Plaintiff has not provided a telephone number to the Court or otherwise contacted the Court. On the date of the hearing, the Court called the phone number listed on the Court's docket for Plaintiff, but the person who answered the phone told the Court that he was not there and to call him on his cell phone. The Court tried to call Plaintiff on his cell phone but he did not answer. The Court obtained two additional phone numbers for Plaintiff from Defendant's counsel and tried to contact Plaintiff through those numbers but was unsuccessful.

WHEREFORE, IT IS HEREBY ORDERED that the Court shall hold a telephonic hearing on **Monday, July 12, 2010 at 1:30 p.m.**, at which Plaintiff is ordered to show cause why he should not be held in contempt of Court for his failure to appear at the scheduled hearing and to show cause why the Court should not recommend to the Presiding Judge that his case be dismissed for failure to prosecute his case and failure to participate in pre-trial matters.

IT IS FURTHER ORDERED that Plaintiff shall provide to the Court a daytime telephone number where he can be reached for this hearing. He may provide his phone number by either calling the undersigned's chamber's number at (575) 528-1650 or emailing his phone number to Cathy Alvarez at Cathy_Alvarez@nmcourt.fed.us.

IT IS SO ORDERED.


LOURDES A. MARTÍNEZ
UNITED STATES MAGISTRATE JUDGE